

Page 4, between lines 15 and 16, please add the following centered paragraph heading:

B3
--BRIEF DESCRIPTION OF THE DRAWINGS--.

Page 4, between lines 27 and 28, please add the following centered paragraph heading:

B4
--DETAILED DESCRIPTION OF THE INVENTION--.

REMARKS

Paragraph headings have been added to the application as requested by the Examiner.

Applicant does not agree with the Examiner that it would have been obvious to one skilled in the art to use the composite filament (10) as taught by the Bayles et al. reference for the conductive filaments (15 and 20) of Monopoli. The problem solved by the present invention is to counteract power interruption in a fence due to breakage of conductors in electric fence tape, rope or wire for confining livestock.

Firstly, the problem that Bayles et al. addresses is to arrive at an electrical cable capable of performing at high temperatures (1000 °F or higher) for extended periods of time. More in particular, the purpose of the two-metal composition of the conductors of Bayles et al. is to maintain useful service at high temperature (col. 1, lines 40-41; col. 2, lines 46-47). The problem of useful service at high temperature does not occur in the field of fence tape, rope or wire, so the skilled person would obtain no hint from Bayles et al. to provide a two-metal construction of the conductors.

Secondly, the fence tape, rope or wire according to the invention is for use in confining livestock. Bayles et al. on the other hand discloses an electrical cable for use in severe aircraft environments. These fields of technology are very remote from each other and are non-analogous. The skilled person facing the problem of counteracting power interruption in a fence due to breakage of conductors in electric fence tape, rope or wire for confining livestock would have no reason to expect a solution in a publication in such a remote field as cables for aircraft. It is a well known principle of patent law that a combination of elements from non-analogous sources, in a manner that reconstructs applicant's invention only with the benefit of hindsight, is insufficient to present a case of obviousness. In re Oetiker, 24 USPQ 2d 1443 (1992). Accordingly it is submitted that the citation is improper.

Thirdly, Bayles et al. discloses a cable including several insulating and non-conductive layers around the conductive core, which insulating layers form an essential part of the Bayles et al. disclosure. The conductive filament (10) is not exposed electrically to the environment. For the fence tape, rope or wire according to the invention, however, it is essential that the conductive filaments are exposed electrically to the environment, so the cable disclosed

by Bayles et al. is fundamentally unsuitable for use in an electric fence. Without hindsight, the skilled person facing the problem of power interruption in the fence due to breakage of conductors in electric fence tape, rope or wire would therefore not have any reason to further consider Bayle et al., let alone to then select the composite construction of the conductor from the combination of features proposed by Bayles et al..

For all the foregoing reasons, it is submitted that the claims as now presented are in suitable condition for allowance, and a notice of allowance is respectfully requested.

If any further fees are required by this communication which are not covered by an enclosed check, please charge such fees to our Deposit Account No. 16-0820, Order No. 34049.

Respectfully submitted,

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